

## **PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD**

**Monday, September 27, 2004**

**3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II**

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Bloomfield, Kirk, Kreider, Raser, Senhauser, and Spraul-Schmidt present. Absent: Chatterjee and Wallace

### **MINUTES**

The minutes of the Monday, September 13, 2004 meeting were unanimously approved as corrected (Motion by Raser, second by Kirk).

### **CERTIFICATE OF APPROPRIATENESS, 26 MERCER STREET, OVER-THE-RHINE, HISTORIC DISTRICT**

Mr. Raser recused himself. Staff member Ms. Adrienne Cowden presented a proposal for a Certificate of Appropriateness to demolish a building at 26 Mercer Street. The building is a two-story single family Italianate row house, a contributing resource in the Over-the-Rhine Historic District

In July, 2003 OTR Walnut Housing, Ltd, purchased the residence and a year later in August, 2004 the Building and Inspections Department condemned the building citing issues with the roof, water damage, and bulging in the east exterior brick wall and foundation. B & I ordered the owner to remedy the dangerous and unsafe conditions or remove the structure.

The owner/applicant Mr. Richard M. Hildal, OTR Walnut Housing, Ltd. was present to answered questions from the Board. The owner claimed the building is economically infeasible to renovate and presented documentation that detailed the condition of the structure. Based on estimated construction and loan costs, a rental rate of \$1,200 per month (which staff believes is overly priced for the area) produces a negative annual cash flow of \$5,492.

OTR Walnut Housing, Ltd is currently assembling property on Mercer and Walnut Streets for a new housing project; 3CDC (Cincinnati Center City Development Corporation) has identified the site as a possible location for the new Washington Park School. Staff believes the condition of the building and the costs associated with its renovation justifies the requested demolition.

Ms. Sullebarger stated it is always disappointing to receive requests for demolition of a historic building; however, she recognized that little remains on the block and its loss will not have a major impact on the district. She said she believed the applicant had proven economic hardship.

### **BOARD ACTION**

The Board voted unanimously (motion by Sullebarger, second Kirk, Raser abstained) to approve a Certificate of Appropriateness for the demolition of 26 Mercer Street, finding that OTR Walnut Housing, Ltd. has submitted the necessary documentation to demonstrate that a reasonable economic return cannot be realized from the use of all or part of the building at 26 Mercer Street, on the condition that any new construction on the cleared site shall be approved by the Historic Conservation Board prior to construction.

**CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCES, FOR  
122-124 W. 14<sup>TH</sup> STREET, OVER-THE-RHINE HISTORIC DISTRICT**

Staff member, Ms. Caroline Kellam presented a staff report on an application for a Certificate of Appropriateness to rehabilitation 124 W. 14<sup>th</sup> Street and construct an associated parking at 122 W. 14<sup>th</sup> Street. The rehabilitation of 124 W. 14<sup>th</sup> Street includes a roof top garden.

Staff stated that the Historic Conservation staff reviewed and approved the rehabilitation work without the rooftop garden. The applicant now seeks approval for the addition.

Ms. Kellam stated that the fence along the south edge of W. 14<sup>th</sup> Street parking lot would feature a 6' wrought iron fence; the rear property line will have a 6' stained wood privacy fence. Zoning variances are required for the height and transparency of the iron fence. She emphasized that many surface parking lots in the area have wrought iron fences as screening.

The Department of Transportation has several issues with the design of the parking lot, it may be necessary to decrease the number and size of the spaces due to the narrow width of alley; this is not under the Boards' purview.

Ms. Martha Dorff, owner and developer was present to respond to questions by the Board.

In reply to Mr. Raser, Ms. Kellam stated that she received no additional information on the steel or wood fences. Ms. Martha Dorff replied that the fence on the south side of the parking lot will screen the lot, but not create a traffic safety issue.

**BOARD ACTION**

The Board voted unanimously (motion Sullebarger, second Kirk with revision) to take the following action:

1. Grant a zoning variance for relief from the Parking Lot Screening requirements as per Chapter 1425-27 and 1425-29 (a) of the Cincinnati Zoning Code finding that such relief from the literal implication of the Zoning Code will not be materially detrimental to the public health, safety, and welfare or injurious to property in the district or vicinity where the property is located and
  - a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district.
2. Approve a Certificate of Appropriateness for the construction of the rooftop garden and parking lot as per plans submitted dated 9/8/04.
3. If the parking lot plan is revised new, plans are to be approved by the Urban Conservator.

**CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCES, 1650  
CENTRAL PARKWAY, OVER-THE-RHINE HISTORIC DISTRICT**

Mr. Kirk recused himself from discussion. Staff member, Ms. Caroline Kellam said Mercy Health Partners is proposing to renovate the former Globe Furniture Building at the corner of Logan and Elder Streets. The first and second floor will house St. Johns Social Services. The new facility will provide social services to the community. The

applicant will lease both the building and the parking lot for 20 to 25 employees. The building is a non-contributing building within the Historic District of OTR.

Staff stated the proposal for the parking lot between Logan Street and the Volunteers of America building is to be resurfaced and relined. Changes include: planting four trees, extending the black painted aluminum fence, adding concrete curbs, and removing the metal box sign.

Staff feels that the improvements to the area, the renovation of the structure, and the services provided to the community, are in the interest of the historic conservation, and justify granting a variance and a Certificate of Appropriateness for the off-street parking lot.

Mr. Tim Oosting, representing the tenants Mercy Health Partners was available to answer questions from the Board.

### **BOARD ACTION**

The Board voted unanimously (motion Sullebarger, second Raser, Kirk abstained) to take the following action:

1. Grant a zoning variance for relief from the off-street parking requirements as per Chapter 1445-09 and 1425-19 of the Cincinnati Zoning Code finding that such relief from the literal implication of Zoning Code will not be materially detrimental to the public health, safety, and welfare or injurious to property in the district or vicinity where the property is located and:
  - a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district.
2. Approve a Certificate of Appropriateness for the improvement to the parking lot including installation of the painted aluminum fence along Central Parkway and additional trees within the lot.

### **CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 2999 ANNWOOD AVENUE, EAST WALNUT HILLS HISTORIC DISTRICT**

Staff member, Adrienne Cowden presented the staff report on an application for a Certificate of Appropriateness and Zoning Variance to construct a 6'-0" tall metal picket fence at 2999 Annwood Avenue that sits on a knoll at the southwest corner of Dexter and Annwood Avenues in the East Walnut Hills Historic District in an area zoned SF-20.

Mr. Craig Decker, owner of 3048 Wold Avenue and Mr. Paul Perry, owner of 2969 Annwood Avenue attended the prehearing and were present to express their concerns regarding the style and height of the fence, the disturbance of the existing trees and landscaping.

Staff believes a 6'-0" fence along street frontage is neither sympathetic nor compatible with the East Walnut Hills Historic District. Staff indicated that approval of this fence will be detrimental to the historic district and does not warrant a Zoning Variance.

Ms. Pam Domitther, owner/applicant was present to answer questions and stated that she would like a 6'-0" fence surrounding her backyard for the safety of her three children. She would even accept a 4'-0" fence with scalloped top, whatever it takes to appease the residents and stay in character with the historic district. Ms. Domitther said that setting the fence back three or four feet in her yard would avoid the trees.

Mr. Paul Perry stated his willingness to discuss a reasonable alternative with the applicant and Mr. Craig Decker, and believed their issues with the fencing can be resolved.

Mr. Senhauser stated he believes the applicant has a reasonable desire to compromise and work on the style of fence with staff and neighbors. Mr. Senhauser suggested that the Board should table the motion rather than deny the proposal.

**BOARD ACTION**

The Board voted unanimously (motioned by Kirk, second by Kreider) to table the application in order to give the applicant an opportunity to discuss the fence and its design with her neighbors and staff.

**ADJOURNMENT**

As there were no other items for consideration by the Board, the meeting adjourned.

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William L. Forwood  
Urban Conservator

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John C. Senhauser, Chairman

Date: \_\_\_\_\_